

United States, *ex rel.* RICKEY HOWARD,  
Plaintiff,  
v.  
CADDELL CONSTRUCTION COMPANY,  
INC., *et al.*  
Defendants.

Defendants Caddell Construction Co., Inc. and W.G. Yates & Sons Construction Company (the “Moving Defendants”), through counsel and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, move the Court for an extension of time of 14 days for the parties to file dispositive motions in this matter. In support of this Motion, the Moving Parties show the Court:

1. Pursuant to a prior Order of the Court [D.E. 222], the parties' deadline for filing dispositive motions is 28 days after the Court ruled on the Moving Defendants' Written Statement of Appeal of Order Granting Leave to Amend Complaint. On December 12, 2017, the Court filed an Order affirming an Order issued by United States Magistrate Judge Kimberly A. Swank that granted Relator Rickey Howard's Motion for Leave to File Second Amended Complaint [D.E. 223]. Accordingly, the parties' present deadline for filing dispositive motions is January 9, 2018.

2. On December 26, 2017, the Moving Defendants timely filed their Answer to Second Amended Complaint [D.E. 224].

3. Due to the issues raised in the Second Amended Complaint and the timing of the Order before the holiday season, the Moving Defendants and their counsel reasonably

require additional time to prepare and file their Motion for Summary Judgment and supporting documents.

4. Relator consents to the extension requested in this Motion.

5. Good cause supports this Motion, which is not sought for purposes of delay.

6. The Moving Defendants also respectfully request the Court not schedule a final pretrial conference until after the briefing on summary judgment is complete.

WHEREFORE, Defendants Caddell Construction Co., Inc. and W.G. Yates & Sons Construction Company respectfully request the Court enter an order extending the deadline for dispositive motions by 14 days to and including January 23, 2018, and for such other relief the Court deems just and proper.

This the 2nd day of January 2018.

/s/ D.J. O'Brien III

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will notify the following CM/ECF users of such filing:

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I further certify that I served the foregoing document by depositing the same in the United States Mail, first-class postage prepaid, addressed as follows:

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This the 2nd day of January 2018.

/s/ D.J. O'Brien III  
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